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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/617,386	07/17/2000	Dennis J. Dunray	3367-6	8474

7590 01/14/2004

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EXAMINER

HENEGHAN, MATTHEW E

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 01/14/2004

5

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/617,386

Applicant(s)

DUPRAY ET AL.

Examiner

Matthew Heneghan

Art Unit

2134

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 17 July 2000.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 July 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

1. Claims 1-18 have been examined.

Priority

2. The instant application claims priority to U.S. Provisional Patent Application No. 60/144,350, filed 16 July 1999. Due to the fact that 16 July 2000 fell on a Sunday, the filing date of the instant application of 17 July 2000 is considered to be within one year of the filing date of the provisional application.

Information Disclosure Statement

3. The following Information Disclosure Statement in the instant application has been fully considered:

Paper No. 4, filed 16 September 2002.

Drawings

4. The drawings are objected to under 37 CFR 1.84(g) because the margins are outside specification. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

5. The drawings are objected to under 37 CFR 1.84(l) because the lines are not uniformly thick and well-defined. A proposed drawing correction or corrected drawings are required in reply to the Office action to avoid abandonment of the application. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-3, 8-12, 14, 15, and 17 are rejected under 35 U.S.C. 102(b) as being anticipated by U.S. Patent No. 5,629,982 to Micali.

As per claims 1, 2, 8-10, 12, 17, the transaction method disclosed by Micali, using a “return-receipt” method, doubly encrypts message, wherein one of the keys used is the recipient’s public key and the other is the sender’s key in a signature; after a predetermined activity (a receipt), a key is sent to allow the recipient to complete the decryption (see column 11, line 60 to column 12, line 50, particularly column 12, line 34).

As per claims 3 and 11, the system uses a network (see column 4, lines 58-65).

As per claim 14, the system can use RSA for its public key encryption (see column 5, lines 10-19).

As per claim 15, the system uses a trusted third party (a "post office").

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 4-7, 13, 16, and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent No. 5,762,552 to Vuong et al. in view of U.S. Patent No. 5,629,982 to Micali.

Regarding parent claims 1 and 15, Vuong discloses a gaming system including the use of encryption in network communications (see column 5, lines 24-35), but does not specify a specific algorithm by which to do so.

A transaction system for doing so is disclosed by Micali, as described above. Micali further suggests that it is to provide a simultaneous electronic transaction wherein the recipient can prove the content of a message and a receipt provided to the sender proves the content of the message (see column 3, lines 47-50).

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to implement the encryption of the gaming system disclosed by Vuong using the transaction system of Micali, in order to provide a simultaneous electronic transaction wherein the recipient can prove the content of a message and a receipt provided to the sender proves the content of the message.

As per claims 4 and 18, the Gaming System disclosed by Vuong uses local area networks (see column 7, line 66 to column 8, line 27).

As per claim 5, a set of bets is presented to the network manager before play (see column 3, lines 9-15).

As per claim 6, participants enter activities and obtain identifications associated with the outcome (see column 8, line 52 to column 9, line 39).

As per claim 7, a game that is a drawing is disclosed, specifically Keno (see column 4, lines 20-30).

As per claim 13, the player's entry information is compared to the outcome to determine whether the player wins or loses.

Regarding claim 16, Vuong discloses that such gambling may be done on the Internet, using an internet-based server (see column 2, lines 7-25).

Official notice is given that it is well-known in art that that interfaces to internet servers are commonly implemented using web sites, in order to make them easily usable by consumers.

Therefore, it would be obvious to one of ordinary skill in the art at the time the invention was made to further modify the invention of Vuong and Micali by implementing

the Post Office on an internet web server, in order to make it easily usable by consumers.

Conclusion

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

U.S. Patent No. 5,664,017 to Gressel et al. discloses a system for controlled distribution of messages in an international setting.

U.S. Patent No. 5,671,280 to Rosen discloses a system for making electronic payments using a trusted agent.

U.S. Patent No. 5,708,709 to Rose discloses a system for using trusted transactions for try-and-buy purchasing.

U.S. Patent No. 5,903,880 to Biffar discloses a payment system using transaction codes and digital vouchers.

U.S. Patent No. 6,188,766 to Kocher discloses the use of receipts for fax transmissions.

9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Matthew E. Heneghan, whose telephone number is (703) 305-7727. The examiner can normally be reached on Monday-Thursday from

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8:00 AM - 4:00 PM Eastern Time. The examiner can also be reached on alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse, can be reached on (703) 308-4789.

Any response to this action should be mailed to:

Commissioner of Patents and Trademarks
Washington, DC 20231

Or faxed to:

(703) 872-9306

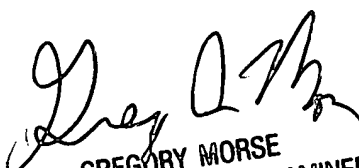
Hand-delivered responses should be brought to Crystal Park 2, 2121 Crystal Drive, Arlington, VA 22202, Fourth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

MEH



January 8, 2004



GREGORY MORSE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100